

09-15-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bacopoulos et al. CONFIRMATION NUMBER: 6072
SERIAL NUMBER: 10/665,079 EXAMINER: Not Yet Assigned
FILING DATE: September 16, 2003 ART UNIT: 1614
FOR: **METHODS OF TREATING CANCER WITH HDAC INHIBITORS**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References A21-A23 and C81-C82; and
4. Return Postcard.

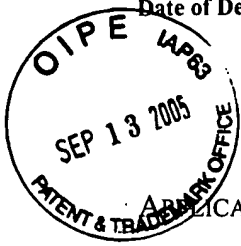
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **24852-501 CIP5**. Please address all correspondence to customer number **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: September 13, 2005

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **24852-501 CIP5**. Please address all correspondence to customer number **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

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Express Mail Label No.: EV376271783US
Date of Deposit: September 13, 2005

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PTO/SB (12-97)
OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|---|------------------------|------------------|
| Modified Form 1449/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | Application Number | 10/665,079 |
| | Filing Date | 09/16/03 |
| | First Named Inventor | Bacopoulos |
| | Group Art Unit | 1614 |
| | Examiner Name | Not Yet Assigned |
| | Attorney Docket Number | 24852-501 CIP5 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----------|--------------------------|------------|-------------------------------------|-------|-----------|-------------|
| Exam Initials | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date |
| | A21 | RE38,506 E | 04/20/04 | Breslow, et al. | 514 | 316 | 10/04/1991 |
| | A22 | 2003/0082666 | 05/01/03 | Kammer, et al. | 435 | 18 | 07/02/2002 |
| | A23 | 2003/0235588 | 12/25/03 | Richon, et al. | 424 | 146.1 | 02/14/2003 |
| | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|----------|---------------------------------------|-------------------------------------|---------------------|-----------------|----|
| Exam Initials | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes | No |
| | | | | | | |

| NON PATENT LITERATURE DOCUMENTS | | |
|---------------------------------|----------|---|
| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
| | C81 | O'Connor et al. (2001). <i>Journal of the American Society of Hematology</i> 611a, Abstract No. 2562. |
| | C82 | Kelly, et al. (2003). <i>Clinical Cancer Research</i> 9:3578-3588. |
| | | |

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.